

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID COOK,
Plaintiff,

v.

DAVID O'LIVINGSTON, et al.,
Defendants.

Case No. 15-cv-05099-TEH (JCS)

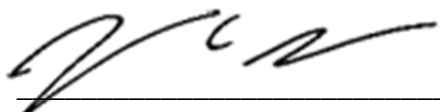
**REPORT AND RECOMMENDATION
RE: SUBSTITUTION OF PLAINTIFF
PRO SE FOR COUNSEL**

Re: Dkt. Nos. 74, 75, 76

Plaintiff submitted a request to substitute himself in pro per in place of his counsel. The court held a hearing on May 31, 2017 in a sealed proceeding. Plaintiff's counsel, John Maples appeared and gave a lengthy explanation of the history behind and reasons for the substitution. The court has sealed the proceeding so as not to prejudice plaintiff. Having reviewed the history and the reasons presented, the court concludes that (1) there is good cause to grant the substitution, (2) plaintiff voluntarily consents to the substitution, and has been given more than adequate notice of the reasons for and timing of the substitution, and (3) an extension of the time to file an amended complaint pursuant to this court's order of February 16, 2017 (Dkt. # 61) to August 1, 2017 will ameliorate any possible prejudice to plaintiff from the withdrawal. Accordingly, it is **RECOMMENDED** that the court **GRANT** the substitution of counsel, and extend the time for plaintiff to file an amended complaint to August 1, 2017. Any party may file objections to this recommendation within fourteen days of being served with a copy.

IT IS SO ORDERED.

Dated: June 6, 2017



JOSEPH C. SPERO
Chief Magistrate Judge